

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
2005 FEB -9 P 3:16

SAVINGS BANKS EMPLOYEES
RETIREMENT ASSOCIATION,

Plaintiff,

v.

BERKSHIRE BANK,

Defendant.

U.S. DISTRICT COURT
DISTRICT OF MASS

CIVIL ACTION NO. 05-10123-EFH

MIDDLESEX SUPERIOR COURT SUMMONS WITH RETURN OF SERVICE

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: —
TORT — MOTOR VEHICLE TORT — CONTRACT —
EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION
No. 05-0020

MIDDLESEX, ss
[seal]

Savings Banks Employees
Retirement Association
....., Plaintiff (X)

v.

Berkshire Bank
....., Defendant (X)

SUMMONS

To the above-named Defendant:

You are hereby summoned and required to serve upon Alicia Alonso Matos
..... plaintiff's attorney, whose address is Foley Hoag, LLP,
155 Seaport Blvd., Boston, MA 02210
....., an answer to the complaint which is herewith
served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you
fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also
required to file your answer to the complaint in the office of the Clerk of this court at Cambridge
..... either before service upon plaintiff's attorney or within a
reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may
have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's
claim or you will thereafter be barred from making such claim in any other action.

Witness, Barbara J. Rowe, Esquire, at Cambridge
the 5th day of January
2005
....., in the year of our Lord


Clerk

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all such defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.